

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

Original     Rule 1.53     National Stage of PCT     CIP

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**DEVICE FOR DIAGNOSING PHYSIOLOGICAL STATE AND DEVICE FOR CONTROLLING THE SAME**

as described and claimed in the specification which

- is attached hereto.
- was filed on December 20, 1996 as Application Serial No. 08/765,465.
- was set forth in PCT International Application No. PCT/JP96/01254 which was filed on May 13, 1996 and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U. S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

In compliance with this duty, there is attached an Information Disclosure Statement. 37 CFR 1.97.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate or §365(a) of any PCT International application(s) which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application, having a filing date before that of the application on which priority is claimed.

- No such Applications have been filed.
- Such Applications have been filed as follows:

<u>Prior Foreign Application(s)</u>		<u>Priority Claimed</u>		
<u>Application Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Yes</u>	<u>No</u>
95-114996	Japan	May 12, 1995	<input checked="" type="checkbox"/>	<input type="checkbox"/>
95-114997	Japan	May 12, 1995	<input checked="" type="checkbox"/>	<input type="checkbox"/>
95-114998	Japan	May 12, 1995	<input checked="" type="checkbox"/>	<input type="checkbox"/>
95-114999	Japan	May 12, 1995	<input checked="" type="checkbox"/>	<input type="checkbox"/>
95-115000	Japan	May 12, 1995	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

- No such Applications have been filed.
- Such Applications have been filed as follows:

<u>Provisional Application(s)</u>	<u>Priority Claimed Under 35 USC 119(e)</u>
<u>Application Number</u>	<u>Day/Month/Year Filed</u>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

- No such Applications have been filed.  
 Such Applications have been filed as follows:

Application Serial No.Filing DateStatus

(Patented, Pending, Abandoned)

I hereby appoint Eric B. Janofsky (Registration No. 30,759), W. Glen Johnson (Registration No. 39,525), and Mark P. Watson (Registration No. 31,448)

as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith. Send all correspondence to: Intellectual Property Department; S MOS Systems Inc.; 150 River Oaks Parkway; San Jose, CA 95134-1915, Telephone (408) 922-0200.

I hereby declare that I have reviewed and understand the contents of this Declaration, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor:

Kazuhiko Amano

Inventor's Signature:

Date

*Kazuhiko Amano* March /21/97

Residence:

3-5 Owa 3-chome, Suwa-shi, Nagano-ken 392, Japan, c/o Seiko Epson Corporation

Citizenship:

Japan

Post Office Address:

Same as above.

Full Name of Second Inventor:

Kazuo Uebaba

Inventor's Signature:

Date

*Kazuo Uebaba* March /9/97

Residence:

19-3, Edakita 3-chome, Aoba-ku Yokohama-shi Knagawa 225 Japan

Citizenship:

Japan

Post Office Address:

Same as above.

Full Name of Third Inventor:	
Hitoshi Ishiyama	
Inventor's Signature:	Date
Hitoshi Ishiyama March 21/97	
Residence:	
3-18, Toride 3-chome, Toride-shi, Ibaragi 302 Japan	
Citizenship:	
Japan	
Post Office Address:	
Same as above.	

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